



**THE CITY OF NEW YORK
LAW DEPARTMENT**

ZACHARY W. CARTER
Corporation Counsel

100 CHURCH STREET
NEW YORK, NY 10007

LINDA MINDRUTIU
Assistant Corporation Counsel
phone: (212) 356-2337
fax: (212) 356-3509
email: lmindrut@law.nyc.gov

August 17, 2016

BY ECF

Honorable Peggy Kuo
United States Magistrate Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Cummins v. City of New York, et al., 15CV96-NG-PK

Dear Judge Kuo:

I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, writing on behalf of defendants to respectfully request that defendants' deadline to respond to plaintiff's Motion for Attorneys' Fees be extended to September 9, 2016. Plaintiff's counsel, Afsaan Saleem and Robert Marinelli, consent to this request. My colleague, Daniel Braun, who is handling this matter, is currently out of the office therefore I am submitting this request on his behalf.

By way of background, plaintiff accepted a Rule 68 Offer of Judgment on June 17, 2016. Since that time, counsel for the parties have attempted to reach a settlement concerning attorneys' fees. On August 15, 2016, plaintiffs' counsel filed a Motion for Attorneys' Fees and related documents. A deadline for any opposition to the Motion for Attorneys' fees has not been set by the Court, but under the Local Rules of the Southern and Eastern District, it appears any Opposition would be due August 29, 2016. Daniel Braun is currently out of the office and will be returning on August 29, 2016. He is the sole Assistant Corporation Counsel currently handling this matter. In order to ensure defense counsel has enough time to properly review and respond to the Motion for Attorneys' Fees, defendants respectfully request until September 9, 2016 to file opposition papers.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda Mindrutiu", with a stylized flourish at the end.

Linda Mindrutiu
Assistant Corporation Counsel
Special Federal Litigation Division

BY ECF
Afsaan Saleem
Robert Marinelli